

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)		Docket Number (Optional) 7978
First named inventor: Asghar Khaghani		
Application No.: 10/699,515		Art Unit: 3738
Filed: 10/31/2003		Examiner:
Title: VALVE PROSTHESIS Attention: Office of Petitions Mail Stop Petition Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 FAX: (703) 872-9306		
NOTE:		If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.
The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.		
APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION		
NOTE: A grantable petition requires the following items: (1) Petition fee; (2) Reply and/or issue fee; (3) Terminal disclaimer with disclaimer fee -- required for all utility and plant applications filed before June 8, 1995; and for all design applications; and (4) Statement that the entire delay was unintentional.		
1. Petition fee <input checked="" type="checkbox"/> Small entity - fee <u>\$750.00</u> (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27. <input type="checkbox"/> Other than small entity - fee <u>\$_____</u> (37 CFR 1.17(m))		
2. Reply and/or fee A. The reply and/or fee to the above-noted Office action in the form of <u>Response to Notice to File Missing Parts of Nonprovisional Appl.</u> - \$65.00 fees (identify type of reply): <input type="checkbox"/> has been filed previously on <u>_____</u> . <input checked="" type="checkbox"/> is enclosed herewith.		
B. The issue fee of <u>\$_____</u> . <input type="checkbox"/> has been paid previously on <u>_____</u> . <input type="checkbox"/> is enclosed herewith.		

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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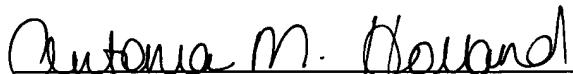
3. Terminal disclaimer with disclaimer fee

Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$____ for a small entity or \$____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

	January 12, 2005
Signature	Date
Antonia M. Holland	53,840
Typed or printed name	Registration Number, if applicable
1000 North Water Street, Suite 2100	414-298-8285
Address	Telephone Number
Milwaukee, WI 53202	
Address	

Enclosures: Fee Payment

Reply

Terminal Disclaimer Form

Additional sheets containing statements establishing unintentional delay

Other : _____

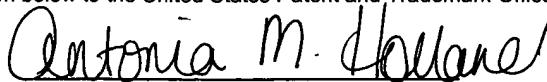
CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(A)]

I hereby certify that this correspondence is being:

deposited with the United States Postal Service on the date shown below with sufficient postage as Express Mail No. EV531800282US in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 872-9306.

January 12, 2005



Signature

Date

Antonia M. Holland

Typed or printed name of person signing certificate



I hereby certify that this correspondence is being deposited with the United States Patent and Trademark Office as Express Mail No. EV531800282US with sufficient postage in an envelope addressed to Attention: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on January 12, 2005.

Reinhardt Boerner Van Deuren s.c.

By: Antonia M. Holland

Antonia M. Holland

Date: January 12, 2005

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

GROUP ART UNIT: 3738

EXAMINER: UNKNOWN

In re application of:)
Asghar Khaghani)
)
Application No: 10/699,515)
) For: VALVE PROSTHESIS
Filed: 10/31/2003)
)
Attorney Docket No.: 7978)
)

Commissioner for Patents
Attention: Office of Petitions
Mail Stop Petition
P.O. Box 1450
Alexandria, VA 22313-1450

January 12, 2005

STATEMENT ACCOMPANYING PETITION FOR REVIVAL
OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 C.F.R. 1.137(b)

Sir:

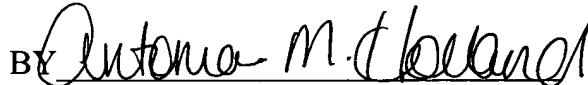
In response to the Notice of Abandonment Under 37 CFR 1.53(f) or (g) dated November 26, 2004, Applicant hereby submits documents and appropriate fees in

completion of the Notice to File Missing Parts of Nonprovisional Application dated February 3, 2004.

The entire delay in filing the required response to Notice to File Missing Parts of Application from the due date for the reply until the filing of a grantable petition pursuant to CFR 1.137(4)(b)(3) was unintentional.

Accordingly, Applicant respectfully requests favorable consideration of the Petition to Revive and restoration of the present patent application to pending status. Should the Office of Petitions believe that the restoration of the present patent application to pending status may be expedited by a telephonic discussion, the Office of Petitions is requested to call Applicant's undersigned attorney at the number listed below.

Respectfully submitted:

BY 
Antonia M. Holland
Attorney for Applicants
Registration No. 53,840

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